

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**  
*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Attorney Docket No.		22221/1070 (RU-339)
First Inventor		O'Donnell et al.
Title	AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF	
Express Mail Label No. EL983811763US		

U.S. PTO  
10075420  
22212

092603  
092603

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 123 pages]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications (if applicable)
  - Statement Regarding Fed sponsored R & D (if applicable)
  - Reference to sequence listing, a table, or a computer program listing appendix (if applicable)
  - Background of the Invention
  - Brief Summary of the Invention
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 82 sheets]  
[Total Pages 12 pages]
5. Oath or Declaration
  - a.  Newly executed (original or copy)
  - b.  Unsigned
  - c.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation

Divisional

Continuation-in-part (CIP)

of prior application No.: 09/716,964

Group/Art Unit: 1652

Prior application information:

Examiner: R. Hutson

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

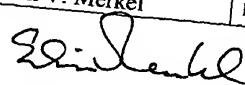
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies; or
    - ii.  paper (167 pages)
  - c.  Request for Transfer of Computer Readable Record and Statement in Accordance with 37 CFR 1.821(e)

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: \_\_\_\_\_

**19. CORRESPONDENCE ADDRESS**

or  Correspondence address below

<input type="checkbox"/> Customer Number or Bar Code Label					
Name	Nixon Peabody LLP Clinton Square, P.O. Box 31051				
Address	Clinton Square, P.O. Box 31051	State	NY	Zip Code	14603-1051
City	Rochester	Telephone	(585) 263-1128	Fax	(585) 263-1600
Country	USA				
Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent) 40,087			
Signature			Date	September 26, 2003	

1998 U.S. PTO  
60/603

# FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750)

Complete if Known	
Application Number	To be Assigned
Filing Date	Herewith
First Named Inventor	O'Donnell et al.
Examiner Name	R. Hutson
Art Unit	1652
Attorney Docket No.	22221/1070 (RU 339)

METHOD OF PAYMENT (check all that apply)				
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input type="checkbox"/> Deposit Account: Deposit Account Number 14-1138				
Deposit Account Name Nixon Peabody LLP				
The Commissioner is authorized to: (check all that apply)				
<input type="checkbox"/> Charge fee(s) indicated below		<input checked="" type="checkbox"/> Credit any overpayments		
<input checked="" type="checkbox"/> Charge any additional fee(s)				
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				

FEE CALCULATION						
1. BASIC FILING FEE						
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	
1001	750	2001	375	Utility filing fee	750	
1002	330	2002	165	Design filing fee		
1003	520	2003	260	Plant filing fee		
1004	750	2004	375	Reissue filing fee		
1005	160	2005	80	Provisional filing fee		
SUBTOTAL (1) (\$ 750)						
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE						
Total Claims	8	Extra Claims -20** =	0	Fee from below X	Fee Paid 0	
Independent Claims	1	-3** =	0	X	0	
Multiple Dependent			X		0	
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description		
1202	18	2202	9	Claims in excess of 20		
1201	84	2201	42	Independent claims in excess of 3		
1203	280	2203	140	Multiple dependent claim, if not paid		
1204	84	2204	42	** Reissue independent claims over original patent		
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2) (\$ 0)						
**or number previously paid, if greater; For Reissues, see above						

FEE CALCULATION (continued)						
3. ADDITIONAL FEES						
Large Entity	Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		
1051	130	2051	65	Surcharge - late filing fee or oath		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
1053	130	1053	130	Non-English specification		
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
1251	110	2251	55	Extension for reply within first month		
1252	410	2252	205	Extension for reply within second month		
1253	930	2253	465	Extension for reply within third month		
1254	1,450	2254	725	Extension for reply within fourth month		
1255	1,970	2255	985	Extension for reply within fifth month		
1401	320	2401	160	Notice of Appeal		
1402	320	2402	160	Filing a brief in support of an appeal		
1403	280	2403	140	Request for oral hearing		
1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1452	110	2452	55	Petition to revive - unavoidable		
1453	1,300	2453	650	Petition to revive - unintentional		
1501	1,300	2501	650	Utility issue fee (or reissue)		
1502	470	2502	235	Design issue fee		
1503	630	2503	315	Plant issue fee		
1460	130	1460	130	Petitions to the Commissioner		
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
1806	180	1806	180	Submission of Information Disclosure Stmt		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		
1801	750	2801	375	Request for Continued Examination (RCE)		
1802	900	1802	900	Request for expedited examination of a design application		
Other fee (specify) _____						
*Reduced by Basic Filing Fee Paid						
SUBTOTAL (3) (\$ 0)						
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]						
I hereby certify that this correspondence is being:						
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450						
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.						
Date _____			Signature _____			
Typed or printed name _____						

SUBMITTED BY					
Complete (if applicable)					
Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent)	40,087	Telephone	(585) 263-1128
Signature	<i>Edwin V. Merkel</i>			Date	<i>September 26, 2003</i>

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **22221/1070 (RU 339)**

APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva, David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF**

Certificate is attached to the **Patent Application including specification, claims and abstract (123 pages)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

## EXPRESS MAIL CERTIFICATE

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APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva, David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF**

Certificate is attached to the **Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

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Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)

  
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TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF**

Certificate is attached to the copy of the **Drawings (82 sheets)** as filed in the prior application of the above-named application.

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Shawn A. Lockett

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APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva, David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF**

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (12 pages)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

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Shawn A. Lockett

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TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE SUBUNIT AND USE THEREOF**

Certificate is attached to the **Request for Transfer of Computer Readable Record and Statement in Accordance With 37 CFR 1.821(e) (1 page)** of the above-named application and a copy of the **Sequence Listing (167 pages)** as filed in the prior application of the above-name application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)